

## **ATTACHMENT A**

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**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

**Applicant:** GREDLEY, Sarah

**Appln No:** 10/521,139

**Filed:** January 12 2005

**For:** PICTURE FRAME

**DECLARATION**

Honourable Commissioner of Patent & Trade Marks,

Sir,

**SARAH GREDLEY** declares as follows:

1. That she is Sarah Gredley who invented the subject matter of the present application and who is applicant for the present application.
2. That she is the applicant and inventor for the International Patent Application No. PCT/GB03/02228 dated May 23 2003 and having a priority claim to GB Patent Application No. 0211893.3 dated May 23 2002.
3. That she was informed by her patent attorneys in the UK, Barker Brettell, that there was a deadline of 23 November 2004 for converting her International Patent Application No. PCT/GB03/02228 into national phase patent applications, and that she was asked for her instructions regarding the countries that she would like to proceed in.

4. That she indicated to Barker Brettell in a telephone conversation on 30 September 2004 that she was interested in proceeding with patent protection for this invention in at least Europe and the USA.
5. That Barker Brettell proceeded to provide her with an indication of the costs involved with proceeding in Europe and the USA and requested that she confirm the countries required and provide an upfront payment for the work.
6. That she had moved to be living overseas in Portugal rather than in the UK and that she was finding the transition stressful and the business and financial situation quite different to that in the UK.
7. That the British Patent Application No. 0211893.3 was the first patent application she had filed and therefore she was not very familiar with the patent system.
8. That under the stressful circumstances of a different country, and in view of her relative inexperience of the patent system, she failed to appreciate that the deadline that had been indicated to her by Barker Brettell was an absolute final deadline for filing national applications.
9. That she therefore did not instruct Barker Brettell to proceed with any national phase applications by 23 November 2004 as she was busy and stressed with business matters and temporary low finances and did not realise that failure to instruct Barker Brettell by this date would lead to a complete loss of her patent rights.
10. That she always intended to proceed with a national phase application in the USA derived from her International Patent Application No. PCT/GB03/02228 and that the failure to take the necessary action to file such an application by the deadline of 23 November 2004 was unintentional and due to a mistaken belief that the US national phase application could still be filed later.

The undersigned hereby declares that all statements made herein of her own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made in the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code, and that such wilful false statements may jeopardise the validity of the application or any patent issued thereon.

Signed .....

*S.C.Gredley*

Date ....., 3, 03, 2006.

Sarah GREDLEY